



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3005426
Applicant Name: Tyler Goodmanson
Address of Proposal: 36 Florentia Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a single-family residence in an environmentally critical area. Parking for one vehicle will be located in the attached garage. Existing single-family residence to remain.

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05 - Seattle Municipal Code.

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

BACKGROUND DATA

Site visit: September 6, 2006.
Zoning: Residential, Multifamily Lowrise 1 (L-1).
Uses on Site: One single-family residence and detached garage.

Substantive Site Characteristics:

This 3,600 square foot subject site is a rectangular lot that fronts on Florentia Street to the south and an alley to the north. Its general location is just east of Queen Anne Avenue N. The site is located within an area zoned Residential, Multifamily Lowrise 1 (L-1) which continues to the east and west on that block. The area adjacent to the north is zoned Residential, Multifamily Lowrise 3 (L-3) and the area adjacent to the south is zoned Single Family Residential 5000 (SF

5000). The site slopes moderately from the south down to the north, with an elevation change of approximately 20 feet over the 120 foot length of the lot. The site is located in a mapped critical area due to potential landslide.

Proposal Description:

The applicant proposes to construct a single-family residence on a 3,600 sq. ft. lot which is located within an environmentally critical area. The existing single family residence is located on the southern portion of the lot and will remain. The existing detached garage in the northern area of the lot will be removed. Pedestrian access for the existing and proposed single-family residences will be provided by a pedestrian easement along the eastern boundary of the lot which runs north from Florentia Street to the alley. Vehicle access to the existing single-family residence will be provided by an easement off of the alley to a surface parking stall. Vehicular access and parking for the proposed single-family residence will be provided by access off of the alley to an attached garage.

Public Comment:

The comment period for this proposal ended on August 16, 2006. During this period, one public comment letter was received.

ANALYSIS – SEPA

The proposal site is located in an environmentally critical area, thus the application is not exempt from SEPA review. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant and dated July 17, 2006 and subsequently annotated by the Land Use Planner. A geotechnical report dated June 8, 2006 was also submitted with this application. The information in the checklist, the geotechnical report, the supplemental information submitted by the applicant, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant; and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “*Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*” subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

Short-term Impacts

The following temporary or construction-related impacts to the environmentally critical area are expected: 1) temporary soil erosion; and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Street Use; 2) Building Code (construction measures in general); 3) Regulations for Environmentally Critical Areas, and 4) Stormwater, Drainage and Grading Code (temporary soil erosion). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts.

Earth

The ECA Ordinance and Directors Rule (DR) 33-2006 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted a geotechnical engineering study prepared by Dennis M. Bruce, P.E. dated June 8, 2006. The construction plans, including shoring of excavations as needed and erosion control techniques will be reviewed by DPD. Additional information required showing conformance with the Environmentally Critical Areas Ordinance will be required prior to issuance of building permits.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Long-term Impacts

Potential long-term impacts that may occur on the environmentally critical area as a result of this project include: increased surface water runoff from greater site coverage by impervious surfaces. This is not considered significant because the impacts are minor in scope.

The long-term impacts are typical of single-family development and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface; and the Regulations for Environmentally Critical Areas.

DECISION

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

CONDITIONS- SEPA

None required.

Signature: _____ (signature on file)
Janet L. Wright, Land Use Planner
Department of Planning and Development

Date: March 15, 2007